

FILE

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

AUG 18 2003

OFFICE OF
MANAGING DIRECTOR

Jennifer Combs
General Manager
KVRW FM
6206 NW Oak Avenue
Lawton, OK 73505

Re: Request for Review of Fee Category for KVRW-FM
Fiscal Years 2000 and 2001 Regulatory Fee
Fee Control No. 00000RROG-03-057

Dear Ms. Combs:

This is in response to your request dated October 7, 2002, filed on behalf of KVRW-FM of Lawton, Oklahoma, for us to review the regulatory fees for Fiscal Years 2000, 2001 and 2002 for KVRW and to credit any amounts resulting from errors in your fees. You allege that the population the Commission used for determining KVRW's regulatory fee is too high. You question why stations with twice the power are reported to have lower population counts, and are thus charged lower regulatory fees. You indicate that the population count for KVRW is less than that for another Lawton, Oklahoma station, KLAJ, but KVRW-FM is charged a higher fee. You submitted population count reports from Dataworld showing the population counts for both KVRW and KLAJ for both the 1990 and 2000 censuses and copies of the Commission's Fee Search Pages showing the fees for KVRW and other stations for 2002 and 2001.

As you requested, we have reviewed the population counts and regulatory fees for KVRW-FM. We requested Dataworld to recalculate KVRW's population counts for both the 1990 and 2000 censuses because the information you submitted was based on a larger city grade coverage than the Commission's rules require and resulted in much larger population counts. *See Assessment and Collection of Regulatory Fees for Fiscal Year 2002*, Report and Order, 17 FCC Rcd 13,203, Attachment H, "Factors, measurements and calculations that go into determining station signal contours and associated population coverages"). As you are aware, the population count for radio stations is not derived merely by a census of the surrounding community, but from a mathematical formula that incorporates various indices such as power, tower size, class size and other technical attributes, *See Assessment and Collection of Regulatory Fees for Fiscal Year 2002*, Report and Order, 17 FCC Rcd 13,203, 13,213, ¶30 (2002) (*Report and Order*).

According to the new calculations by Dataworld, KVRW's populating count under the 1990 census was 143,535 and under the 2000 census was 147,540. The Commission began using the 2000 census data in connection with its FY 2002 regulatory fees, so we examined KVRW's FY 2002 regulatory fee using a population count of 147,540 and its regulatory fees for FY 2000 and FY 2001 using a population count of 143,535.

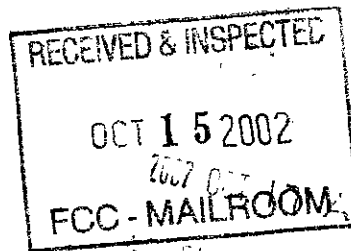
KVRW's population listed in the FY 2000 Public Notice was 143,021 with a fee of \$1,950 and a fee code of 0050. *Public Notice, FY 2000 Media Services Regulatory Fees*, Attachment J at 41, released, Aug. 2, 2000. The recalculated population count of 143,535, does not change KVRW's fee amount or code for 2000. In the FY 2001 Public Notice, KVRW's population was 142,392, with a fee of \$2,050 and a fee code of 0150. *Public Notice, FY 2001 Media Services Regulatory Fees*, Attachment J at 42, released, Aug. 7, 2001. The recalculated population of 143,535 does not change KVRW's fee amount or code for 2001. KVRW's population count in the FY 2002 Public Notice was 146,383 with a fee of \$2,250 and a fee code of 0250. *Public Notice, FY 2002 Media Services Regulatory Fees*, Attachment J, released, Aug. 7, 2002. The recalculated population of 147,540 does not change KVRW's fee amount or code for 2002. Accordingly, you have paid the proper fees for KVRW and therefore are not entitled to a refund.

If you have any questions concerning this matter please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark A. Reger
Chief Financial Officer



KVRW-FM
6206 NW Oak Ave
Lawton, OK 73505
(580) 536-5343
Fax (580) 536-9007
www.oldiesradioonline.com

October 7, 2002

Office of the Managing Director
Federal Communications Commission
445 12th St; SW Room 1-A625
Washington, DC 20554
Attn: Regulatory Fee Waiver/Reduction Request

Re: Radio Regulatory Fees for KVRW-FM

Last year, on September 17, 2001 I sent a letter stating that the fees for KVRW-FM seem to be too high. I have spoken to Roland Halbagen at the FCC and he directed me to contact Nancy McCall at Data World, Inc.

I have received population reports for both KVRW-FM and KLAU-FM. In the reports, it shows KLAU with a higher population count, but KVRW-FM is being charged a higher rate.

Please look into this matter and notify me of the result. If an error has occurred, can I receive a credit for the additional amounts paid in 2002 and all previous years where this was the case?

Thank you for your time and attention to this matter,

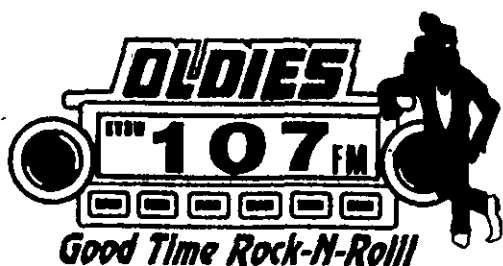
A handwritten signature in black ink, appearing to read "Jennifer Combs".

Jennifer Combs
General Manager

Encl.

RECEIVED OCT 18 2002

no authentic
postmark on
the post office
not needed
the FBI



2007 001-17 A 9:04

ACCOUNT PROCESSING
GROUP-DPT/LPT/TMT

KVRW-FM
6206 NW Oak Ave
Lawton, OK 73505
(580) 536-5343
Fax (580) 536-9007
www.oldies107.com

September 17, 2001

Office of the Managing Director
Federal Communications Commission
445 12th St; SW Room 1-A625
Washington, DC 20554
Attn: Regulatory Fee Waiver/Reduction Request

Re: 2001 Radio Regulatory Fee for KVRW-FM

While viewing the Fees web page at
<http://www.fcc.gov/Bureaus/Mass Media/Informal/fees/radio.html> I noticed the
following data about the FM stations in Lawton, OK:

Station	Class	Population	Power(watts)	Fee
KLAW	C1	121,548	100,000	\$1375
KJMZ	C1	105,922	100,000	\$1375
KVRW	C2	142,392	50,000	\$2050
KZCD	C2	103,917	18,000	\$1375
KBZQ	C3	101,378	16,000	\$900
KMGZ	C3	100,610	14,000	\$900

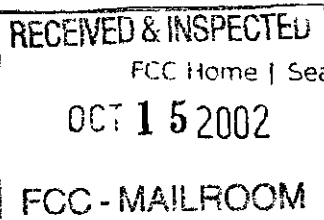
It seems that the population for KVRW is too high. I do not understand why
stations with twice as much power as we have are being reported to have lower
populations and therefore paying a lower fee. This also seems to be the case for
the 2000 Radio Regulatory Fee.

Please look into this matter and notify me of the result. If an error has occurred,
can I receive a credit for the additional amount paid for 2001 and all previous
years where this was the case?

Thank you for your time and attention to this matter,

COPY

Jennifer Combs
General Manager



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FCC Fees

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2002 AM & FM Radio Station Fees Search Page

Instructions:

1. Click in the related radio button.
2. Type your Call Sign, State, or City in the text box.
3. Click the SUBMIT button.
4. Scroll down the page to see your answers.

☐ Call Sign ☐ State ☐ City

Note: For STATE searches use the two letter postal code (Ex. Ohio is OH).

SUBMIT

Search Results

Call Sign	Service	Location	Class	Population	Fee	Fee Code
KBZQ	FM	Lawton, OK	C3	103,115	\$975	0243
KJMZ	FM	Lawton, OK	C1	99,225	\$1,500	0249
KKRX	AM	Lawton, OK	B	104,859	\$975	0225
KLAW	FM	Lawton, OK	C1	124,136	\$1,500	0249
KMGZ	FM	Lawton, OK	C3	102,434	\$975	0243
KVRW	FM	Lawton, OK	C2	146,383	\$2,250	0250
KXCA	AM	Lawton, OK	B	147,409	\$1,575	0226
KZCD	FM	Lawton, OK	C2	105,977	\$1,500	0249

last reviewed/updated on 8/8/02

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Federal Communications
Commission
445 12th Street SW
Washington, DC 20554
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Fax: 202-418-0232
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Dataworld, Inc.
Bethesda, MD

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Wednesday, September 18, 2002

Population within coverage area

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Job Title: KVRW

Coordinates: N 34° 36' 27.0" W 98° 16' 26.0"

-----Distance to 54 dBu Contour-----		
Azimuth Number	Bear. (deg)	Dist (km)
1	.0	61.6
2	45.0	64.2
3	90.0	65.3
4	135.0	66.4
5	180.0	65.1
6	225.0	66.4
7	270.0	64.7
8	315.0	62.3

Population within coverage area

Title: KVRW

Coordinates: N 34° 36' 27.0" W 98° 16' 26.0"

Place name	Population	Housing Units
Total (1990 Census)	225,427	94,534

Popcount area 13080.39 square km

Population within coverage area

Title: KVRW

Coordinates: N 34° 36' 27 0" W 98° 16' 26.0"

Place name

	Population	Housing Units
Total (2000 Census SF1)	231,184	97,245

Popcount area 13080.39 square km

>> End of Population Report <<

Dataworld, Inc.
Bethesda, MD

Page 1
Tuesday, September 17, 2002

Population within coverage area

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from use of the said information.

Job Title: KLAW

Coordinates: N 34° 32' 59.0" W 98° 32' 21.0"

-----Distance to 54 dBu Contour-----		
Azimuth Number	Bear. (deg)	Dist. (km)
1	.0	70.1
2	45.0	75.1
3	90.0	76.9
4	135.0	76.9
5	180.0	76.5
6	225.0	75.9
7	270.0	74.7
8	315.0	73.2

Population within coverage area

Title: KLAU

Coordinates: N 34° 32' 59.0" W 98° 32' 21.0"

Place name

Population

Housing Units

Total (1990 Census)

341,670

143,564

Popcount area 17649.99 square km

Population within coverage area

Title: KLAU

Coordinates: N 34° 32' 59.0" W 98° 32' 21.0"

Place name	Population	Housing Units
Total (2000 Census SF1)	353,255	146,924

Popcount area 17649.99 square km

>> End of Population Report <<